

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 991 - SB 1804**

March 4, 2011

**SUMMARY OF BILL:** Increases fees paid to the sheriff or constable for serving process issued by clerks for general sessions, criminal, circuit, chancery, or other court.

**ESTIMATED FISCAL IMPACT:**

**Increase Local Revenue – \$1,221,400**

**Assumptions:**

- According to a survey of Wilson, Williamson, and Greene Counties, there is approximately one service of process carried out for every 6.4 county residents.
- Based on 2009 American Community Survey population estimates, the total state population is approximately 6,158,953, resulting in approximately 962,336 (6,158,953/6.4 residents) total processes served state-wide in 2010.
- Pursuant to Tenn. Code Ann. § 8-21-901, the average fee paid to local Sheriffs or Constables for each process served, regardless of the manner, is \$16.70. The provisions of this bill will increase the average payment by approximately 76 percent to \$29.40.
- Approximately \$16,071,011 (962,336 x \$16.70) in fees was assessed in 2010. The proposed increase to various fees will result in a total assessment of approximately \$28,284,979 (\$16,071,011 x 1.76) for 2011, resulting in a difference of approximately \$12,213,968 (\$28,284,979 - \$16,071,011).
- Service fees are in many instances assessed as a portion of court costs. Approximately 90 percent of individuals served any process are expected to be indigent and will be unable to pay, resulting in an increase to local government revenue of \$1,221,397.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, reading "James W. White".

James W. White, Executive Director

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